



# Federal Communications Commission Hearing Aid Compatibility Updates

Eli Johnson  
Attorney Advisor Special Counsel  
Competition and Infrastructure Policy Division  
Wireless Telecommunications Bureau

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# Background

- The Commission's wireless hearing aid compatibility (HAC) provisions can be found at 47 CFR 20.19
- The rules require device manufacturers to:
  - Offer a certain number of wireless handset models that meet specified ANSI technical standards for hearing aid compatibility
  - Comply with related labeling, website posting, and reporting requirements
- The Commission recently adopted new rules that incorporate by reference the 2019 ANSI Standard that will become the exclusive testing standard on June 5, 2023
  - The new standard includes a volume control technical standard
  - The older 2011 ANSI Standard did not include a volume control technical standard, but the rules did contain a volume control requirement deadline



## 2021 Report and Order

- On February 22, 2021, the Commission released the 2019 ANSI Standard Report and Order, WT Docket No. 20-3, FCC 21-28
- The R&O incorporates by reference the 2019 ANSI Standard and the related ANSI/TIA-5050:2018 Volume Control Standard into the Commission's rules
- The Commission provided for a two-year transition from the 2011 ANSI Standard to the exclusive use of the 2019 ANSI Standard and aligned the volume control requirement deadline with the exclusive use deadline
- The exclusive use and volume control deadline is June 5, 2023
- The Commission refined its HAC labeling, website posting, and compliance filing requirements and removed past transition dates and deployment benchmarks and made other technical changes to its rules





# 2019 ANSI Standard

- The new standard improves the measurement of potential hearing aid interference and, as a result, improves the listening experience for those who use hearing aids
- In addition, the new standard:
  - Covers new technologies and devices and expands the frequency range from 6 GHz down to 614 MHz rather than down to 698 MHz under the 2011 ANSI Standard
  - Eliminates the numerical M/T rating system which confused consumers and replaces it with essentially a pass/fail system
  - Reduces testing burdens by allowing certain simple tests to be done to determine compatibility with acoustic coupling while maintaining an exemption from radiofrequency testing for low power air interfaces, and
  - Harmonizes with other international hearing aid standards which helps reduce regulatory burdens for hearing aid manufacturers



# ANSI/TIA Volume Control Standard

- The 2019 ANSI Standard incorporates by reference the ANSI/TIA-5050:2018 Volume Control Standard
- The Volume Control Standard is designed to accommodate all people with hearing loss, including those who do not use hearing aids
- The standard requires a handset to meet a two-part test:
  - The first part tests for conversational gain with a hearing aid, and the second part tests for conversational gain without a hearing aid
  - To pass the first part of the test, a handset must have at least 6 dB of conversational gain with a hearing aid. To pass the second part of the test, the handset must have at least 18 dB of conversational gain without a hearing aid



# Certification Issues

- A handset model will continue to be considered HAC if it is certified as HAC under an applicable technical standard for all covered air interfaces and frequency bands even though the handset may also allow operations on air interfaces and frequency bands not covered by that technical standard
- As with past practice, if a handset model certified as HAC under an outdated standard is later submitted for a Class II permissive change after the end of the two-year transition period, that handset model will have to be updated and recertified under the 2019 ANSI Standard





# Transition Period

- The Commission adopted a two-year phase-in period for the new standard that started on June 3, 2021 – the effective date of the new HAC rules
- During the two-year transition period, device manufacturers may use either the 2011 or the 2019 ANSI Standard when certifying new handset models
- After the two-year transition period ends on June 5, 2023, new handset models can only be certified under the 2019 ANSI Standard, and these handset models will need to meet all aspects of the new standard, including the volume control requirement, over all covered frequency bands in order to be certified as HAC
- Handset models certified under the 2011 ANSI Standard during the transition period do not need to meet volume control requirements, but those certified under the 2019 ANSI Standard during the transition period must meet the volume control requirements in order to be certified as HAC
- Consistent with past practice, during the transition period, new handset models must be exclusively tested using either the 2011 ANSI Standard or the 2019 ANSI Standard
- The standards cannot be mixed for purposes of certification



# Deployment Benchmarks

- Device manufacturers will be able to meet deployment benchmarks by counting handset models certified under the 2019 ANSI Standard or earlier versions of the standard as long as these models are still being offered for sale
- The Commission expects that, as more and more handset models are certified under the 2019 ANSI Standard, device manufacturers will replace handset models in their portfolios certified under older standards with models certified under the new standard





# Labeling Requirements

- The Commission revised the wireless HAC labeling rules by grouping the rules into two parts
  - The first part of the revised rules addresses the package label, and the second part addresses package inserts or user manuals
  - This change was made to streamline the labeling rules and make them easier to follow
- The Commission also revised its website posting requirements to require device manufacturers to list the ANSI standard used to evaluate hearing aid compatibility
- The revised labeling and website posting requirements took effect on November 4, 2021, after the Commission received OMB approval for these revised provisions



# Package Label

- The package label for a HAC handset must state that the handset is HAC
- If certified as HAC under the 2019 ANSI Standard, the handset's package label must provide the handset's actual conversational gain both with and without hearing aids
- In cases where the actual conversational gain with a hearing aid differs depending on the air interfaces or frequency band being used, the label must provide the lowest actual conversational gain with a hearing aid
- M/T ratings are no longer required to be on the package label because the new standard does not use this rating system



# Package Inserts or User Manuals

- Inserts and user manuals for HAC handsets must continue to include the following information:
  - That the handset is HAC
  - The ANSI standard used to determine that the handset is HAC
  - If using the 2011 or earlier versions of the ANSI standard, the lowest HAC rating assigned to any of the covered air interfaces or frequency bands
  - Air interfaces or frequency bands on handsets that are not certified as HAC or have been certified as HAC under special testing circumstances
  - If a handset was not certified as HAC over all of its air interfaces or frequency bands, a disclosure notifying consumers of this fact and that they should test the handset thoroughly and in different locations
  - If the handset was certified under special testing circumstances, the insert or user manual must explain how this affects the use and operation of the handset
  - An explanation of the ANSI rating system and transition to the new system, the volume control standard, and the handset's volume control capabilities





# Refresh Requirement

- The Commission eliminated the requirement that device manufacturers periodically “refresh” their HAC handset offerings by replacing older HAC handsets with newer HAC handsets each year
- The manufacturer handset deployment benchmark is currently 85%
- This benchmark made retention of the manufacturer refresh rule unnecessary



# Compliance Reports

- The Commission moved the deadline for manufacturers to file compliance reports from July 15 each year to July 31 each year
- The filing window opens on the first business day of July and closes on the 31<sup>st</sup>, unless the 31<sup>st</sup> falls on a weekend or Federal holiday and then the window will close on the next business day after July 31<sup>st</sup>
- This change ensures that the reports are up to date as of the last day of June for the previous reporting period (June 30 to June 30)
- The Commission has revised the FCC Form 655 that device manufacturers use to meet this compliance obligation to take into consideration the changes made by the Commission when it adopted the 2019 ANSI Standard and the related volume control standard



# Pending Matters

- In 2016, the Commission invited interested parties to create a HAC Task Force to consider whether 100% of covered handset models should be required to be HAC and whether alternative technologies, such as Bluetooth, should be utilized to attain 100% compatibility and, if so, how such an approach would work (see FCC 16-103)
- The Task Force is due to file its final report on these issues by the end of this year
- The Commission has indicated that it will make a determination by no later than 2024 whether 100% HAC compatibility is achievable